

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ITV DIRECT, INC.,)

Plaintiff,)

v.)

HEALTHY SOLUTIONS, L.L.C., et al.,)

Defendants.)

CAPPSEALS, INC.,)

Plaintiff-in-Intervention,)

v.)

HEALTHY SOLUTIONS, L.L.C., d/b/a)

DIRECT BUSINESS CONCEPTS; ITV)

DIRECT, INC.; and DIRECT)

FULFILLMENT, LLC,)

Intervenor-Defendants.)

Civil Action No. 04-CV-10421-JLT

ORDER

This matter, having come on for consideration pursuant to the parties' Joint Motion to Bifurcate, and the Court being sufficiently advised, IT IS HEREBY ORDERED that:

Trial is hereby continued until such time as the court issues a ruling on whether Cappseals is entitled to judgment as a matter of law against defendants ITV Direct, Inc. and Direct Fulfillment, LLC. The briefing schedule to address this issue will be as follows:

Cappseals' Initial Brief June 3, 2005

ITV's Opposition June 13, 2005

Cappseals' Reply Brief June 17, 2005

ITV's Reply Brief June 21, 2005

IT IS SO ORDERED.

DATED: _____

JUDGE, UNITED STATES DISTRICT COURT